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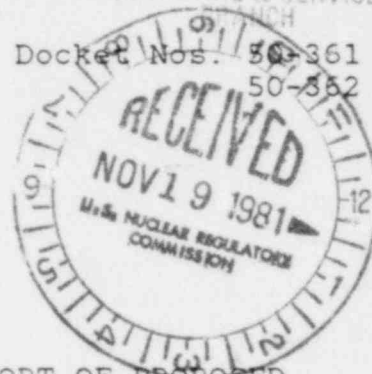
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

SOUTHERN CALIFORNIA)
EDISON COMPANY, ET AL.)

(San Onofre Nuclear Generating)
Station, Units 2 and 3).)

Docket Nos. 50-361 OL
50-362 OL



APPLICANTS' BRIEF IN SUPPORT OF PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW ON
EMERGENCY PLANNING AND PREPAREDNESS ISSUES.

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Dated: November 13, 1981

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16 SOUTHERN CALIFORNIA)	
EDISON COMPANY, <u>ET AL.</u>)	APPLICANTS' BRIEF IN
17 (San Onofre Nuclear Generating)	SUPPORT OF PROPOSED
18 Station, Units 2 and 3).)	FINDINGS OF FACT AND
)	CONCLUSIONS OF LAW ON
)	EMERGENCY PLANNING AND
)	<u>PREPAREDNESS ISSUES.</u>

20 Applicants SOUTHERN CALIFORNIA EDISON COMPANY and
21 SAN DIEGO GAS & ELECTRIC COMPANY ("Applicants") hereby submit
22 their brief in support of their proposed findings of fact and
23 conclusions of law on emergency planning and preparedness
24 issues pursuant to 10 C.F.R. § 2.754, the stipulation and
25 confirming order of the Atomic Safety and Licensing Board
26 ///

1 ("Board") (Tr. 11357), and the Board-approved stipulation
2 between the parties extending time.

3 I.

4 INTRODUCTION

5 The emergency planning and preparedness portion of
6 the licensing 'earings on Applicants' application for full
7 term operating licenses for San Onofre Nuclear Generating
8 Station, Units 2 and 3 ("SONGS 2 & 3"), was concerned with
9 three contentions raised by Intervenor Friends of the Earth,
10 et al. and Groups United Against Radiation Danger (the
11 "Intervenors' Contentions"), and the interim findings and
12 determination of the Federal Emergency Management Agency
13 ("FEMA") regarding offsite emergency planning and
14 preparedness for SONGS (the "Interim FEMA Findings").

15 The Intervenor's Contentions are as stated in
16 "Applicants' Proposed Findings of Fact and Conclusions of Law
17 on Emergency Planning and Preparedness Issues" ("Applicants'
18 Proposed Findings") served herein on November 9, 1981.

19 (FF. 44.)^{1/} The Interim FEMA Findings were:

20 "State and local government radiological
21 emergency response plans are minimally
22 adequate. However, until corrective actions
23 have been taken, the off-site capability for
24 implementation of the plans is not considered
25 adequate."

26 (FF. 462.)

25 ^{1/} Specific paragraphs in Applicants' Proposed
26 Findings will be cited and referred to by the
abbreviation "FF."

The procedural background leading up to the hearings on emergency planning and preparedness issues, a description of the exhibits and testimony admitted, as well as the testimony stricken from the record, are fully set forth in Applicants' Proposed Findings. (FF.15-41, 45-51.) Complete lists of witnesses and exhibits can be found commencing at Pages 30 and 34, respectively, of Applicants' Proposed Findings.

This brief sets forth the applicable legal standards and summarizes the evidence in the record pertaining to the Intervenor's Contentions or the Interim FEMA Findings in the same order as discussed in the Applicants' Proposed Findings.

II.

DISCUSSION

A. Applicable Legal Standards

This Board may authorize SONGS 2 & 3 to commence full power operation upon an overall finding, regarding the issues in controversy, that the state of onsite and offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. 10 C.F.R. § 50.47(a)(1).

In making this overall finding, the Board is not bound by the Interim FEMA Findings, insofar as those findings have been demonstrated to be erroneous or insignificant; or there is reasonable assurance that the deficiencies reported

1 in those findings have been or will be remedied prior to full
2 power authorization of SONGS 2; or it appears that said
3 offsite deficiencies are compensated for by other offsite or
4 on-site features so that the level of protection for the
5 public health and safety is adequate. 10 C.F.R.
6 § 50.47(c)(1); see FF. 5-7.

7 In arriving at this determination, the Board is
8 bound by the pertinent standards set forth in 10 C.F.R.
9 §50.47(b), (c)(2) and Part 50, Appendix E. IV., but is not
10 bound by the NRC Staff and FEMA guidance set forth in
11 NUREG-0654/FEMA-REP-1, Criteria for Preparation and
12 Evaluation of Radiological Emergency Response Plans and
13 Preparedness in Support of Nuclear Power Plants
14 ("NUREG-0654"), although this guidance is extremely helpful
15 in interpreting the Commission's intentions regarding these
16 standards. See 10 C.F.R. § 40.47(b) n.1.2/

17 B. Intervenors' Contentions

18 1. CONTENTION 3 (Plume EPZ Determination).

19 The emergency response plans fails to meet
20 the requirements of 10, C.F.R. §50.47(c)(2)

21 2/ Although "entitled to considerable prima facie weight",
22 Vermont Yankee Nuclear Power Corp. (Vermont Yankee
23 Nuclear Power Station), CLI-74-40, 8 AEC 809, 811
24 clarified as to other matters, 8 AEC 827 (1974), and
25 compliance therewith is likely to amount to compliance
26 with regulations, Petition for Emergency and Remedial
Action. CLI-78-6, 7 NRC 400, 406-07 (1978), regulatory
guides promulgated by the Staff are not regulations and
are not entitled to be treated as such, Gulf States
Utilities Co. (River Bend Station, Units 1 & 2),
ALAB-444, 6 NRC 760, 772 (1977).

1 because local emergency planning officials
2 have arbitrarily established the boundaries
3 of the Plume Exposure EPZ in that they have
4 mechanically applied a 10 mile boundary and
5 that the Interagency Agreement (IAEP) among
6 all local jurisdictions defines the EPZ by
7 drawing compass lines on a map of the area.
8 In determining the exact size of the EPZ,
9 emergency planning officials have failed to
10 consider the following local conditions:

1. topography
2. meteorology
3. evacuation routes
4. demography
5. jurisdictional boundaries
6. SAI report
7. land characteristics"

10 C.F.R. §50.47(c)(2) in pertinent part provides:

"Generally, the plume exposure pathway EPZ
for nuclear power plants shall consist of an
area about 10 miles (16 km) in
radius The exact size and
configuration . . . shall be determined in
relation to the local emergency response
needs and capabilities as they are affected
by such conditions as demography, topography,
land characteristics, access routes, and
jurisdictional boundaries" (Emphasis
added.)

In considering how the exact size of the plume
exposure pathway EPZ (the "Plume EPZ") is to be determined,
the Commission has stated that the "exact size and shape of
[the Plume] EPZ will be decided by emergency planning
officials after they consider the specific conditions at each
site." (45 Fed. Reg. 55406, August 19, 1980.) The "specific
conditions" referred to by the Commission are "local
conditions such as demography, topography, land
characteristics, access routes and jurisdictional

1 boundaries." 10 C.F.R. §50.47(c)(2).

2 Accordingly, in admitting the Plume EPZ Contention
3 for hearing purposes the Board indicated it was primarily
4 concerned that the Plume EPZ had not been arbitrarily
5 determined, but had been drawn by the responsible emergency
6 planning officials "with some eye, albeit a judgmental one,
7 towards these local conditions." (Tr. 3504-3505, 5530.) The
8 Board was also concerned that there was no misunderstanding
9 among the responsible emergency planning officials as to the
10 boundaries of the Plume EPZ. (Tr. 3500.)

11 Regarding the limitations of the contention, the
12 Board made it clear that the reference to the "SAI Report" in
13 the Plume EPZ Contention did not imply any judgment on its
14 part about the relevance of any or all of that document.
15 (Tr.6804.) The Board further indicated that the phrase "about
16 ten miles" in 10 C.F.R. §50.47(c)(2) meant that the Plume EPZ
17 boundaries may be within a couple of miles more or less than
18 ten miles, but did not permit a Plume EPZ radius of 20 miles;
19 and nothing in the admitted Plume EPZ Contention, including
20 the reference to the SAI Report, should be construed to
21 permit evidence in support of such an expansive
22 interpretation. (Tr. 5529-5530, 6806.)

23 With these ground rules in mind, the Applicants
24 presented their case on the Plume EPZ Contention.

25 The substantial and uncontroverted evidence
26 demonstrated that the various local conditions and the data

1 contained in the SAI Report have been considered by the
2 responsible local planning officials in drawing the
3 boundaries of the Plume EPZ. (FF. 90-93.) An independent
4 analysis of the evidence regarding the local conditions
5 specified in the Plume EPZ Contention, including the SAI
6 Report, only supports the conclusion that the responsible
7 local planning officials have not abused their discretion in
8 this regard. (FF. 79-89.) Any confusion or concerns
9 contained in the record regarding the fact that not all of
10 the City of San Juan Capistrano is included in the Plume EPZ
11 are resolved by the fact that Applicants and the responsible
12 local planning officials are capable of promptly alerting and
13 providing emergency instructions to the population within the
14 entire area of San Juan Capistrano and Dana Point, and have
15 developed detailed traffic studies, evacuation time
16 estimates, evacuation plans, and a public education program
17 for this entire area. (FF. 95-97, 326-332, 424-425.)

18 Intervenor's have provided no evidence in the record
19 controverting these conclusions. Accordingly, Applicants
20 submit that the Plume EPZ has been properly determined as
21 required by 10 C.F.R. §50.47(c)(2).

22 2. Contention 2F (Emergency Response and
23 Augmentation Capability).

24 "Whether there is reasonable assurance that
25 the emergency response planning and capabil-
26 ity of implementation for SONGS 2 and 3,
affecting the offsite transient and permanent
population, will comply with 10 C.F.R.
§50.47(a)(1) and (b) or (c)(1) as follows:

1
2 F. the capability of each principal
3 response organization to respond and to
4 augment this initial response on a
continuous basis, 10 C.F.R.
§50.57(b)(1);"

5 Substantial evidence was admitted demonstrating the
6 onsite and offsite emergency planning and response
7 capabilities of the principal and supporting emergency
8 response organizations, at all levels of government and the
9 private sector, to initially respond and to augment their
10 response on a continuous basis. (FF. 109-134.)3/

11 Applicants have more than adequate onsite and
12 offsite planning personnel and equipment to promptly respond
13 on a 24-hour per day basis and to augment this response on a
14 continuous basis. (FF. 110-120.)

15 Likewise, each of the principal offsite
16 organizations functions on a 24-hour per day basis and
17 responds to emergency conditions with sufficient regularity
18 to assure an ongoing general emergency preparedness
19 capability. (FF. 122.) Each of these principal offsite
20 organizations has sufficient planning, equipment and
21

22 3/ The principal offsite emergency response organizations
23 are the Orange County General Services Agency, Emergency
24 Services Division; the USMC; the City of San Clemente;
25 the Unified San Diego County Office of Disaster
26 Preparedness; and State Parks. The supporting emergency
response organizations are listed in Applicants'
Proposed Findings and include the City of San Juan
Capistrano and the Capistrano Unified School District,
the California Highway Patrol, the California Department
of Transportation and the Red Cross. (FF. 102-108).

1 personnel, as well as access to additional equipment and
2 personnel from the larger Federal, State and local
3 jurisdictions of which they are a part or with which they
4 have mutual aid agreements. (FF. 121,123.)

5 Each of the involved State agencies and local
6 jurisdictions have a legal obligation under State law, as
7 well as professional commitment, to protect the public health
8 and safety of persons within their jurisdictions, regardless
9 of the public hazard, as well as to render mutual aid in
10 support of other principal response organizations. (FF. 124.)

11 The existence of substantial back-up emergency
12 response planning and capability within various supporting
13 emergency response organizations, such as the California
14 Highway Patrol, the Red Cross and the California Department
15 of Transportation only provides an additional assurance of
16 the existence of adequate offsite response capability.

17 (FF. 127-131.)

18 During the May 13 exercise, each of the principal
19 emergency response organizations and the participating
20 supporting emergency response organizations demonstrated
21 their extensive capabilities to respond, coordinate and
22 augment their response to a radiological emergency at SONGS.
23 (FF. 125.) Even the City of San Juan Capistrano and the
24 Capistrano Unified School District, who principally rely on
25 the emergency resources of other jurisdictions, have
26 demonstrated that they have sufficient plans and implementing

1 procedures, as well as sufficient equipment and personnel, to
2 adequately perform their limited, but important, initial and
3 ongoing emergency response functions. (FF. 132-133.)

4 The foregoing conclusions were only supported and
5 certainly were not controverted by any evidence sponsored by
6 Intervenor. Accordingly, Applicants submit that Applicants
7 and the principal offsite emergency response organizations
8 have the capability to initially respond to emergencies at
9 SONGS 2 & 3 and to augment this initial response on a
10 continuous basis as required by 10 C.F.R. §50.47(b)(1) and
11 Part 50, Appendix E.IV.

12 3. CONTENTION 2A (Emergency Response
13 Organization Notification and Continuous
Communication Capacity).

14 "Whether there is a reasonable assurance that
15 the emergency response planning and
16 capability of implementation for SONGS 2 and
17 3, affecting the offsite transient and
18 permanent population, will comply with 10
19 C.F.R. §50.47(a)(1) and (b) or (c)(1) as
20 regards:

21 . . .

22 A. The procedures for notification by
23 Applicants of State and local response
24 organizations, 10 C.F.R. §50.47 (b)(5),
25 and for notification of and continued
26 communication among emergency personnel
by all involved organizations, 10 C.F.R.
§50.47(b)(6);"

Standard plans and procedures for initial emergency
classification and notification by Applicants of the involved
Federal, State and local response organizations have been
established to assure emergency notification and continuous

1 communication occurs in a prompt and understandable fashion
2 on a 24-hour per day basis. (FF. 140-144). The capability to
3 achieve such notification and continuous communication is
4 provided by private dedicated telephone systems, regular
5 telephone systems, back-up radio systems, and a teletype
6 system. (FF. 145-148.)

7 Onsite and offsite procedures, as well as primary
8 and back-up communications system, exist to enable Applicants
9 and the involved offsite emergency response organizations to
10 notify and maintain communications between emergency
11 personnel on a 24-hour per day basis. (FF. 157-169.) Primary
12 and back-up communication systems have been established
13 between the various onsite and offsite emergency facilities
14 that will be used by Applicants and the involved offsite
15 emergency response organizations to direct and coordinate
16 their response activities. (FF. 170-175.)

17 A program exists for periodically testing the
18 entire notification and continuous communication system.
19 (FF. 176-178.) The system has been successfully demonstrated
20 on a number of occasions and further improvements in the
21 system have since been made. (FF. 174-175.)

22 The Intervenor did not present any evidence
23 controverting these conclusions. Accordingly, Applicants
24 submit the planning and capability of Applicants and the
25 involved offsite emergency response organizations regarding
26 emergency notification and continuous communication among the

involved onsite and offsite agencies and personnel is sufficient to protect the public health and safety, as required by 10 C.F.R. §§50.47(b)(5) and (6), and Part 50, Appendix E.IV.

4. CONTENTION 2E (Existence of Adequate Offsite Emergency Operation Centers, Transportation and Communications Equipment).

"Whether there is reasonable assurance that the emergency response planning and capability of implementation for SONGS 2 and 3, affecting the offsite transient and permanent population, will comply with 10 C.F.R. § 50.47(a)(1) and (b) or (c)(1) as follows:

. . . .

E. necessary transportation and communication equipment, and the operation of the emergency operations centers of the principal response organizations, 10 C.F.R. § 50.47(b)(8);"

Applicants have established onsite emergency operations centers to provide the technical response in an emergency condition and to coordinate the onsite emergency response with the offsite activities of the other involved emergency response organizations. (FF. 182.) Applicants have also established offsite centers to provide a point of interface where all involved emergency response organizations can assess conditions and coordinate emergency response activities, and expedite the coordinated dissemination of public information through the media. (FF. 183.) Applicants' capability to activate, staff and operate these

1 onsite and offsite centers was successfully demonstrated at
2 the May 13 exercise. (FF. 184.)

3 Applicants have plans and procedures describing in
4 detail the location and function of the various types of
5 onsite and offsite communication equipment that are available
6 for emergency use in support of SONGS. The communication
7 equipment located in Applicants' onsite and offsite emergency
8 operations centers provides multiple systems and redundancies
9 which ensure the performance of vital functions in
10 maintaining contact with onsite and offsite emergency
11 response personnel and transmitting and receiving information
12 between SONGS and involved Federal, State and local response
13 organizations throughout the course of an emergency.

14 Applicants also have plans and procedures to use their
15 considerable air and ground transportation resources to
16 transport emergency personnel and equipment to SONGS in the
17 event normal access is disrupted or time is of the essence.
18 Additional helicopter and ground transportation assistance is
19 available to Applicants from the United States Marine Corps,
20 should the circumstances necessitate such assistance.

21 (FF. 285-188.)

22 Applicants' capability to use their communication
23 equipment, as well as the availability of necessary
24 transportation equipment in support of Applicants' onsite and
25 offsite emergency response organization, was demonstrated
26 during the May 13 exercise. (FF. 185-189.)

1 Each of the principal emergency response
2 organizations has established an emergency operations center
3 ("EOC"). The capability to operate these EOCs is assured by
4 the existing plans and procedures for their operation, the
5 program for periodic drills and exercises involving
6 activation of these centers, and the periodic activation of
7 these centers for actual emergencies not involving SONGS.
8 The operation of each of the principal offsite centers was
9 successfully demonstrated during the May 13 exercise.
10 (FF. 190-193.)

11 Each of the principal offsite emergency
12 organizations is equipped with a reliable redundant system
13 for communicating with emergency personnel within their own
14 organization, as well as with the other involved
15 organizations. Each of the principal offsite emergency
16 response organizations has or has access to the
17 transportation equipment necessary to respond to a
18 radiological emergency at SONGS 2 & 3. (FF. 194-195.)

19 Intervenors offered no evidence controverting any
20 of these conclusions. Accordingly, Applicants submit that
21 the onsite and offsite emergency operations centers
22 established by Applicants and the involved offsite emergency
23 response organizations, as well as the communications and
24 transportation equipment available to support the role of
25 each of these organizations during an emergency at
26 SONGS 2 & 3, are sufficient to protect the public health and

1 safety, as required by 10 C.F.R. §50.47(b)(8).

2 5. CONTENTION 21 (Interim Emergency
3 Operations Facility).

4 "Whether there is reasonable assurance that
5 the emergency response planning and
6 capability of implementation for SONGS 2 and
7 3, affecting the offsite transient and
8 permanent population, will comply with 10
9 C.F.R. § 50.47(a)(1) and (b) or (c)(1) as
10 regards:

- 11 I. the physical design, communications
12 equipment, and operating procedures for
13 the Interim Emergency Operations
14 Facility, 10 C.F.R. §§ 50.47(b)(3) and
15 (b)(8);"

16 Concerns arising out of the May 13 exercise
17 regarding the crowded conditions in the original interim
18 Emergency Operations Facility ("Interim EOF"), located in the
19 City of San Clemente Emergency Operation Center, gave rise to
20 this contention. These concerns have been completely
21 alleviated by development of new Interim EOF facilities in
22 the San Clemente City Hall. (FF. 474.)

23 It should be noted in this regard that Applicants
24 are not required to have an EOF which meets the functional
25 criteria established by the NRC at this time. In order to
26 meet these criteria, Applicants are currently designing a
permanent EOF which is scheduled for construction and
operation by October, 1982. (FF. 199.)

While constructing its permanent EOF, Applicants
have complied with the guidance set forth in NUREG-0654, by

1 establishing an Interim EOF with six physically separate, but
2 interrelated, components, located in three separate
3 locations. Each location is tied together by a reliable and
4 redundant communication system capable of communicating with
5 all EOCs, required emergency response personnel, and the
6 public. (FF. 200-206.)

7 The evidence in the record fully describes the
8 physical design and existing operating procedures for the
9 Interim EOF. (200, 207-208.) The Applicants' capability to
10 activate, staff and operate the Interim EOF was successfully
11 demonstrated in the May 13 exercise. A full-scale exercise
12 of the Interim EOF is required on an annual basis to assure
13 an adequate implementation capability is maintained.
14 (FF. 209.)

15 Intervenors sponsored no evidence controverting the
16 foregoing conclusions. Accordingly, Applicants submit that
17 the emergency response planning and implementation capability
18 as regards the physical design, communications equipment and
19 operating procedures for the Interim EOF is adequate to
20 protect the public health and safety as required by 10 C.F.R.
21 §§50.47(b)(3) and (8), and Part 50, Appendix E.IV.

22 6. CONTENTION 2H (Plume EPZ Radiation
23 Monitoring and Dose Assessment).

24 "Whether there is reasonable assurance that
25 the emergency response planning and capabil-
26 ity of implementation for SONGS 2 and 3
affecting the offsite transient and permanent
population, will comply with 10 C.F.R.
§50.47(a)(1) and (b) or (c)(1) as follows:

1 . . .
2 F. the methods, staffing, system, and
3 equipment for assessing and monitoring
4 actual or potential offsite consequences
5 of a radiological emergency condition
6 within the plume exposure pathway EPZ
7 for SONGS 2 and 3, 10 C.F.R.
8 §50.47(b)(9);"

9 Concerns arising out of the May 13 exercise
10 regarding the adequacy of offsite response organizations'
11 radiation monitoring and dose assessment capabilities gave
12 rise to this contention. These concerns have been resolved
13 not only by the subsequent training and equipment provided by
14 Applicants to these organizations (FF. 476, 478, 480), but
15 also by the fact the Applicants' onsite capability to conduct
16 offsite radiation dose assessment and monitoring is more than
17 adequate to compensate for any shortfalls in the involved
18 offsite response organizations' capabilities in this regard.
19 (FF. 213-229).

20 Substantial evidence was offered by Applicants
21 describing the considerable resources and capabilities of
22 Applicants in the area of onsite and offsite radiation dose
23 assessment and monitoring, even in situations where critical
24 monitoring or meteorological equipment is inoperable. (FF.
25 213-230.)

26 To augment these already adequate capabilities and
to otherwise coordinate Applicants' dose assessment and
radiation monitoring activities with the activities of the
involved offsite response organizations, Applicants have

1 established the Offsite Dose Assessment Center ("ODAC")
2 within the Interim EOF. The physical design, equipment and
3 operating procedures for the ODAC are fully described in the
4 record. (FF. 231-234.)

5 In the event of an emergency at SONGS, Applicants
6 would be primarily relied upon for offsite dose assessment
7 and radiation monitoring. These activities will be augmented
8 by the significant resources and capabilities of Orange and
9 San Diego Counties, the City of San Clemente, the USMC, and
10 the California Highway Patrol. Each of these organizations
11 has the necessary equipment and trained personnel to conduct
12 such activities. In addition, this local capability can be
13 augmented, if necessary by additional dose assessment and
14 radiation monitoring assistance available from the California
15 Department of Health Services and the United States
16 Department of Energy. (FF. 235-236.)

17 The May 13 exercise demonstrated that the
18 capabilities for dose assessment shown by State and local
19 officials operating in the ODAC were adequate to protect the
20 public health and safety. Applicants and the involved
21 offsite response organizations have implemented a training
22 program to further improve these capabilities. This
23 training, along with the additional equipment provided by
24 Applicants, assure the maintenance of these capabilities.
25 (FF. 237-240.)

26 Intervenors offered no evidence controverting these

1 conclusions. Accordingly, Applicants submit that their
2 existing onsite plans, procedures and capabilities satisfy
3 the standards for offsite dose assessment radiation
4 monitoring capability and protective action recommendation
5 set forth in 10 C.F.R. §50.47(b)(9) without relying upon the
6 considerable offsite radiation monitoring and dose assessment
7 capabilities of the involved Federal, State and local
8 agencies. The existence of these offsite agency
9 capabilities, as coordinated with Applicants' capabilities
10 within the ODAC, only provides additional assurance that the
11 public health and safety will be protected as required by 10
12 C.F.R. §50.47(b)(9).

13 7. CONTENTION 2J (Ingestion EPZ Radiation
14 Monitoring and Dose Assessment).

15 "Whether there is reasonable assurance that
16 the emergency response planning and
17 capability of implementation for SONGS 2 and
18 3, affecting the offsite transient with
19 permanent population, will comply with 10
20 C.F.R. §50.47(a)(1) and (c)(1) as regards:

21 . . .

22 J. the methods, systems and equipment for
23 assessing and monitoring actual or
24 potential offsite consequences of a
25 radiological emergency condition within
26 the ingestion pathway EPZ for SONGS 2
and 3, 10 C.F.R. §50.47(b)(9);"

27 There is little or no controversy regarding this
28 contention. The substantial evidence in the record
29 substantiates the conclusion that the required Ingestion EPZ
30 plans and procedures have been developed based on an analysis

1 of pertinent land use data and generally accepted
2 methodologies for estimating dose commitments to humans from
3 food and water samples taken from various points within the
4 Ingestion EPZ. (FF. 246-262.)

5 Ingestion EPZ monitoring and protective action
6 formulation will be coordinated in the ODAC. Based on the
7 ODAC coordinator's recommendation, the responsible official in
8 each jurisdiction will make protective action decisions
9 ranging from no action to crop or milk condemnation, which
10 will be released to the general public via the Emergency
11 Media Center, the Emergency Broadcast Network, and
12 notification of processors and distributors by the
13 responsible State and county health and agriculture
14 officials. (FF. 255-262.)

15 More substantial preplanning than has already been
16 accomplished by Applicants and the involved State and local
17 agencies, is not necessary in view of the significant amount
18 of time available for determining protective actions for the
19 Ingestion EPZ. (FF. 263.)

20 Intervenors offered no evidence controverting these
21 conclusions. Accordingly, Applicants submit that the
22 existing plans, procedures and capabilities of Applicants and
23 the involved State and local jurisdictions to assess and
24 monitor actual or potential offsite consequences of a
25 radiological emergency condition within the Ingestion EPZ is
26 adequate to protect the public health and safety as required

1 by 10 C.F.R. §50.47(b)(9).

2 8. CONTENTION 2G (Radiological Emergency
3 Response Training).

4 "Whether there is reasonable assurance that
5 the emergency response planning and
6 capability of implementation for SONGS 2 and
7 3, affecting the offsite transient and
8 permanent population, will comply with 10
9 C.F.R. §50.47(a)(1) and (b) or (c)(1) as
10 regards:

11 . . .

12 G. radiological emergency response training
13 to those who may be called on to assist
14 in an emergency, 10 C.F.R.
15 §50.47(b)(15);"

16 Any concerns regarding radiological emergency
17 response training have been resolved by the four separate
18 onsite and offsite radiological emergency training programs
19 currently being operated or sponsored by Applicants on an
20 on-going basis. (FF. 268-285, 480.)

21 First, Applicants have an extensive on-going
22 training program designed to assure that all potentially
23 involved personnel in Applicants' onsite and offsite
24 emergency response organizations are knowledgeable of the
25 applicable onsite and offsite plans and procedures and are
26 proficient in the use of the required equipment.
(FF. 268-276.)

27 Second, Applicants are sponsoring an Emergency
28 Medical Assistance Program ("EMAP") for hospital, medical and
29 ambulance staffs at the three local hospitals where
30 Applicants have emergency response agreements. EMAP is

1 designed to maintain a state of readiness for onsite and
2 offsite medical personnel to effectively respond to a
3 radiological emergency involved radiation induced or
4 complicated injuries. (FF. 281.)

5 Third, Applicants, in cooperation with the involved
6 local emergency response organizations, are sponsoring an
7 on-going one-day general radiological emergency planning and
8 preparedness program designed to familiarize potentially
9 involved personnel with plans and procedures in all
10 functional areas; and an intensive three-day course in
11 radiological monitoring and dose assessment for both the
12 Plume and Ingestion EPZs. (FF. 282-285.)

13 Fourth, Applicants have already provided general
14 radiological emergency response training to 386 persons
15 representing 105 potentially involved offsite agencies in San
16 Diego and Orange Counties. (FF. 279-280.)

17 Intervenors have presented no evidence
18 controverting the existence or sufficiency of the training
19 programs described above. Accordingly, Applicants submit
20 that appropriate radiological emergency response training has
21 been and will continue to be provided to onsite and offsite
22 emergency response personnel who may be called on to assist
23 in an emergency and such training satisfies the requirements
24 of 10 C.F.R. §50.47(b)(15).

25 ///

26 ///

1 9. CONTENTION 2D (Medical Services for
2 Injured Contaminated Individuals).

3 "Whether there is reasonable assurance that
4 the emergency response planning and
5 capability of implementation for SONGS 2 and
6 3, affecting the offsite transient and
7 permanent population, will comply with
8 10 C.F.R. § 50.47(a)(1) and (b) or (c)(1) as
9 follows:

10
11 D. the arrangements for medical services
12 for contaminated and injured
13 individuals, 10 C.F.R.
14 § 50.47(b)(12);"

15 There was substantial uncontroverted evidence
16 offered concerning the medical services which have been
17 established for contaminated and injured individuals.

18 Applicants have provided for initial first aid and
19 medical services at SONGS. (FF. 296.) Applicants also have
20 written agreements with ambulance services, local support
21 hospitals and medical doctors to provide medical services for
22 contaminated and injured individuals. Additional ambulance
23 and transportation services may be called upon from Orange
24 County or requested from USMC, if necessary. (FF. 297-299,
25 302.)

26 In addition to arranging for these medical
services, Applicants have arranged specific radiological
emergency response training for the hospital, medical and
ambulance staffs. This training is designed to maintain a
state of preparedness for onsite and offsite medical
personnel to effectively respond to a radiological emergency

1 involving radiation induced or complicated injuries. The
2 training program will be continuing and will include
3 inspection of equipment and supplies as well as drills for
4 the medical support provided at SONGS and at support
5 hospitals and ambulance companies. (FF. 281, 305, 309,
6 310.) As discussed above, additional training has also been
7 provided for representatives of many response organizations
8 including offsite medical personnel. (FF. 279, 280.)
9 Finally, Applicants also have available the services of Dr.
10 R. E. Linnemann and other experts employed by Radiation
11 Management Corporation on a 24-hour basis to provide
12 consultation and, if required, direct assistance from
13 radiation medicine physicians, certified health physicists
14 and technicians with portable instrumentation. (FF. 306.)

15 Specific prearrangement of medical facilities and
16 services for mass care is not required for the general public
17 either within or beyond the EPZ. Mr. B. K. Grimes, the NRC's
18 Director of Emergency Planning and Preparedness and
19 Co-Chairman of the FEMA/NRC Steering Committee which issued
20 NUREG-0654, as well as the Task Force which issued
21 NUREG-0396, testified that such arrangements were not
22 contemplated or required by NUREG-0654 and this policy was
23 supported by the testimony of Dr. R. E. Linnemann. (FF. 291,
24 292.) Nevertheless, the prearrangements which do exist for
25 onsite personnel and offsite emergency workers do provide a
26 basis for the treatment of the general public in the unlikely

1 event that the need should arise. (FF. 293.)

2 In considering the possible treatment which might
3 be required by members of the general public in the unlikely
4 event there is a release of radiation offsite large enough to
5 require treatment, a number of factors must be considered.
6 First, decontamination does not require hospital facilities.
7 (FF. 303.) Second, once a person has been exposed to
8 radiation, a predictable clinical course ensues which is
9 directly correlated with the exposure of dose and dose rate.
10 This clinical course cannot be interrupted and will evolve
11 over a period of days and weeks. Thus, immediate treatment
12 is not required. (FF. 54, 58, 304.) Because time is not a
13 critical factor, there is the ability to treat the general
14 public by making use of the trained personnel, existing
15 facilities and procedures which are already in place.
16 Hospital facilities do exist within and beyond the Plume and
17 Extended EPZs to handle thousands of patients if the need
18 should arise. (FF. 293, 294.)

19 Although Intervenors attempted to introduce
20 testimony concerning medical services and treatment which in
21 their opinion ought to be available, this testimony was not
22 admitted or was stricken by the Board. (FF. 50.) Thus, the
23 evidence offered by Applicants and the NRC Staff was not
24 controverted and Applicants submit that the record
25 establishes that there is reasonable assurance that
26 arrangements for medical services for contaminated and

1 injured individuals exist and will be maintained, as required
2 by 10 C.F.R. § 50.47(b)(12) and Part 50, Appendix E. IV.

3 10. CONTENTION 2C (Public Education and
4 Information Program).

5 "Whether there is reasonable assurance that
6 the emergency response planning and
7 capability of implementation for SONGS 2 and
8 3, affecting the offsite transient and
9 permanent population, will comply with
10 10 C.F.R. § 50.47(a)(1) and (b) or (c)(1) as
11 follows:

12 . . .
13 C. the information and the procedure for
14 dissemination of the information to the
15 public within the plume exposure pathway
16 Emergency Planning Zone on a periodic
17 basis on how they will be notified and
18 what their actions should be in the
19 event of an emergency, 10 C.F.R.
20 § 50.47(b)(7);"

21 Applicants, as well as the involved local planning
22 officials, provided substantial evidence concerning the form
23 and content of the public education and information being
24 provided to residents and transients within the Extended EPZ
25 and beyond.

26 The principal means of providing specific informa-
tion on responses to an emergency is the Emergency Response
Pamphlet ("Pamphlet") prepared by Applicants in conjunction
with local planning officials and based on the local
emergency plans. (FF. 325.) More general information is
provided by the Emergency Information Handbook ("Handbook").
The Handbook is designed to provide individuals with the
basic understanding of how and why emergency responses were

1 developed and will be applied and how and why various
2 protective actions will be effective. (FF. 324.)

3 The Pamphlet has been mailed to all residences
4 within the Extended EPZ other than those within Camp
5 Pendleton whose residents have been given similar information
6 through the Base Housing Office. Newspaper advertisements
7 and other reminders will be used to ensure that all residents
8 are aware of and have obtained copies of the Pamphlet and to
9 provide means to obtain additional copies. There will be an
10 ongoing program to make certain that all new residents
11 receive copies of the Pamphlet. (FF. 326, 327.)

12 In order to provide information for transients and
13 for residents who are away from home in the event of an
14 emergency, businesses will receive posters similar in format
15 and content to the Pamphlet to be displayed in their
16 establishments. Likewise, posters and fliers will be used at
17 the State Parks and Beaches to provide emergency information
18 to the users of these facilities. (FF. 328.) Residents and
19 transients will also be provided emergency information by
20 means of telephone directory inserts, telephone booth decals
21 and information placed in hotels and rooming establishments.
22 (FF. 329.) Persons beyond the Plume and Extended EPZs will
23 also be mailed information relative to their concerns.
24 (FF. 330, 331) To supplement the Pamphlet and Handbook,
25 community meetings will be held and arrangements will be made
26 to deal with the special needs of the handicapped and other

1 special populations. (FF. 325, 332-335.)

2 At least annually, or more often if required, there
3 will be a public information update which will include
4 efforts to make certain that all persons are aware of the
5 appropriate emergency information. (FF. 336-338.) In
6 addition, the public information and education program has
7 been enhanced by efforts to inform the media of emergency
8 information which is available and by special arrangements to
9 acquaint the news media with emergency plans, information
10 concerning radiation and points of contact for release of
11 public information and emergency instruction. Local public
12 information officers have been identified and trained to
13 further aid in this process. (FF. 339-342.)

14 A question did arise at the hearings concerning
15 information and instructions available to special
16 institutions such as schools. This confusion was later
17 clarified by counsel for Applicants, and it became clear that
18 all residents as well as all special institutions would
19 receive appropriate information prior to fuel load at SONGS
20 2. (Tr. 8728, 1012.)

21 The information and procedure for dissemination of
22 such information to the public within the Plume and Extended
23 EPZs on a periodic basis was established by the evidence to
24 be adequate to inform the public on how they will be notified
25 and what their action should be in the event of an emergency,
26 ///

1 as required by 10 C.F.R. § 50.47(b)(7) and Part 50, Appendix
2 E. IV

3 11. CONTENTION 2B (Emergency Public Alert
4 and Notification System).

5 "Whether there is reasonable assurance that
6 the emergency response planning and
7 capability of implementation for SONGS 2 & 3,
8 affecting the offsite transient and permanent
9 population, will comply with 10 C.F.R.
10 § 50.47(a)(1) and (b) or (c)(1) as regards:
11"

12 B. the means for notification and
13 instruction to the populace within the
14 plume exposure pathway Emergency
15 Planning Zone, 10 C.F.R. § 50.47(b)(5);
16"

17 There was substantial and uncontroverted testimony
18 concerning the means for prompt public alert and notification
19 within the Plume and Extended EPZs and the means for
20 providing prompt emergency public instruction during an
21 emergency. Intervenors did not present any evidence on the
22 subject.

23 Within the Plume EPZ public notification will be
24 accomplished by the prompt alerting system which fully
25 complies with the requirements and guidance set forth in
26 Appendix 3 of NUREG-0654. (FF. 350.) Specifically, the
sirens meet or exceed minimum and maximum sound levels
specified. (FF. 352, 353.)

Installation of the sirens within the Plume EPZ has
been completed, although Applicants note that the NRC has
indicated its intention to revise its regulations to defer

1 until February 1, 1982 its requirements for prompt public
2 notification systems, 46 Fed. Reg. 46587 (September 21,
3 1981. (FF. 354.)

4 The locations of the sirens and the procedure for
5 their operation, including provisions to prevent accidental
6 activation, were fully described in the testimony.
7 Specifically, there is a 24 hour per day capability to
8 activate each of the sirens. (FF. 356-359.) Procedures also
9 exist for the coordination for the use of the sirens by the
10 local jurisdictions. (FF. 362.)

11 Within the Plume EPZ, the sirens should provide 100
12 percent coverage during nighttime hours for all persons
13 indoors or outdoors and 100 percent coverage outdoors during
14 the day. During daytime hours the indoor siren coverage
15 within the Plume EPZ would be achieved at least 85 percent of
16 the time. However, since the sirens produce a three to five
17 minute signal, even where interior ambient noise levels are
18 such that the sirens could not be heard at all times, during
19 some of the time the sirens were activated, they would be
20 expected to be audible indoors. (FF. 355, 360.)

21 In addition to the siren system, and specifically
22 within the areas of the Extended EPZ not included within the
23 Plume EPZ, other means exist to provide prompt public alert.
24 These means include a public address system on the perimeter
25 fence at SONGS; as well as CHP, County Sheriff's Department
26 and State Park vehicles, and helicopters equipped with

1 loudspeakers. Orange County's extensive communications
2 capability permits direct contact with SONGS as well as each
3 of the two thousand emergency vehicles in Orange County.
4 These alerting systems will make it possible to alert and
5 notify the public within the 45 minute period suggested for
6 the area beyond a 5-mile radius of SONGS in NUREG-0654,
7 Appendix 3, p. 3.3. (FF. 97, 361.)

8 The primary means of providing public instruction
9 during an emergency would be through the Emergency Broadcast
10 System ("EBS"). Arrangements now exist to utilize the EBS
11 and additional arrangements are in place for broadcasting
12 emergency information and instructions over local radio
13 stations. (FF. 365, 366.) Emergency public instruction may
14 also be provided through the USMC communications systems, the
15 SONGS public address system, loudspeaker-equipped emergency
16 vehicles (including helicopters) as well as through Coast
17 Guard communication systems. (FF. 367.)

18 In order to facilitate the coordination and
19 dissemination of public information, each jurisdiction has
20 identified a public information officer and procedures exist
21 to establish the Emergency Media Center from which PIOs can
22 operate. (FF. 368-372.) The Emergency Media Center provides
23 a means to coordinate information to be provided to the media
24 and aids in rumor control. By using communications systems
25 which exist, accurate information can be provided to the
26 media and specific information to prevent or deal with rumors

1 can be obtained and disseminated. (FF. 374, 375.) In
2 addition, SCE, SDG&E, Orange County and San Diego County have
3 established systems and procedures for responding to and
4 controlling rumors. (FF. 376-380.)

5 Provisions exist to use the extensive
6 communications facilities which are available to provide
7 supporting information and recommendations to local public
8 officials for decision making and emergency public
9 instruction as required. (FF. 384.) Pre-written public
10 instructions exist in order to achieve consistency among the
11 jurisdictions and so the public can be quickly and accurately
12 informed of the decisions of those responsible for emergency
13 actions. (FF. 381-383.).

14 The testimony of Applicants and the local planning
15 officials demonstrate that the physical and administrative
16 means for prompt emergency notification to the transient and
17 permanent population within the Extended and Plume EPZs is
18 adequate, and that means exist to provide instruction to the
19 populace within the Extended and Plume EPZs in the event of
20 an emergency, as required by 10 C.F.R. § 50.47(b)(5) and Part
21 50, Appendix E IV.

22 12. CONTENTION 2K (General Plans for Reentry and
23 Recovery).

24 "Whether there is reasonable assurance that
25 the emergency response planning and capabil-
26 ity of implementation for SONGS 2 and 3,
affecting the offsite transient and permanent
population, will comply with 10 C.F.R.
§ 50.47(a)(1) and (b) or (c)(1) as regards:

1 . . .
2 K. general plans for reentry and recovery,
3 10 C.F.R. § 50.47(b)(13);"

4 The substantial and uncontroverted evidence in
5 record substantiates the conclusion that general plans for
6 onsite and offsite reentry and recovery have been established
7 by Applicants, and the responsible agencies within the State
8 of California, as well as San Diego and Orange Counties.
9 (FF. 388-400.)

10 The onsite plans for reentry and recovery include a
11 pre-established recovery organization and arrangements for
12 augmenting existing resources, as necessary, from other
13 utilities, suppliers, consultants, and engineering firms.
14 (FF. 388-394.)

15 The principal offsite emergency response
16 organizations' plans for reentry and recovery are set forth
17 in their emergency response plans. There would never be a
18 critical time element for emergency reentry by an offsite
19 agency. Once reentry is authorized by the appropriate
20 Federal, State and local health officials, the recovery
21 operation will operate out of the Interim EOF, which serves
22 as the central location for coordination and functional
23 activity. (FF. 395-399.)

24 Intervenor's did not submit any evidence
25 controverting these conclusions. Accordingly, based on the
26 substantial and uncontroverted evidence in the record,

1 Applicants submit that the existing general onsite and
2 offsite plans for reentry and recovery following a
3 radiological emergency at SONGS 2 & 3 are adequate to protect
4 the public health and safety, as required by 10 C.F.R.
5 § 50.47(b)(13) and Part 50, Appendix E.IV.

6 13. CONTENTION 1 (Offsite Public Protective
7 Action Capability).

8 "Whether the state of emergency preparedness
9 for SONGS 2 and 3 provides reasonable
10 assurance that the offsite transient and
11 permanent population within the plume
12 exposure pathway Emergency Planning Zone, 10
13 C.F.R. § 50.47(2), for SONGS 2 and 3 can
be evacuated or otherwise adequately
protected in the event of a radiological
emergency with offsite consequences occurring
at SONGS 2 and 3, as required by 10 C.F.R.
§§ 50.47(a)(1), (b)(10), and Part 50,
Appendix E.IV."

14 It was never entirely clear in what respect
15 Intervenor believed that the involved offsite emergency
16 response organizations were incapable of adequately
17 evacuating or otherwise protecting the public in the event of
18 a radiological emergency at SONGS 2 & 3. Applicants submit
19 it is sufficient under 10 C.F.R. § 50.47(b)(10) for
20 Applicants to demonstrate that a range of protective actions,
21 including evacuation, sheltering and thyroid prophylaxis, are
22 available; and that the means for choosing between these
23 actions under any particular circumstance has been
24 established based upon consideration of the environmental,
25 demographic and temporal factors, as well as resource
26 availability, type of radioactive release, and exposure

1 duration, with the goal of minimizing harmful effects.
2 (FF. 404-422.)

3 In this regard it is important to note that the
4 "Protective Action Guidelines" ("PAGs") to be used as
5 "trigger values" initiating a protective action response are
6 extremely conservative and are set far below those levels
7 which would produce detectable short-term biological effects
8 and at levels which would minimize the risk of long-term
9 biological effects. (FF. 55-58.) This fact combined with
10 the numerous other factors mitigating against receipt of a
11 harmful radiation dose by the offsite population around SONGS
12 2 & 3 provides reasonable assurance that available protective
13 measures can be taken in sufficient time to mitigate any
14 potential harmful effects. (FF. 58.)

15 There is substantial and uncontroverted evidence in
16 the record that Applicants and the involved offsite emergency
17 response organizations have developed detailed plans and
18 procedures and have sufficient resources to implement
19 evacuation, sheltering or thyroid prophylaxis for all persons
20 within the Plume and Extended EPZs requiring such protective
21 actions. (FF. 423-459.)

22 The detailed evacuation planning takes into account
23 all the factors specified in NUREG-0654 II.J.10.
24 (FF. 423-444.) The evacuation time estimates are extremely
25 conservative and provide decision-makers with a range of
26 estimates covering optimum conditions, peak population

1 conditions and adverse weather conditions. (FF. 445-452.)
2 Intervenor's concerns and criticisms regarding the evacuation
3 time estimates were shown to be without basis and in error.
4 (FF. 453-454.)

5 Substantial and uncontroverted evidence was
6 presented in support of the offsite emergency response
7 organizations' capability to implement the full range of
8 protective actions. The demonstrated commitment of each of
9 these organizations to maintain and improve upon this
10 capability through an on-going program of plan coordination,
11 periodic training, drills and exercises only provides
12 additional assurance that the public health and safety will
13 be adequately protected. (FF. 459.)

14 Accordingly, Applicants submit that the substantial
15 and overwhelming weight of the evidence supports the
16 conclusion that the offsite transient and permanent
17 population within the Extended and Plume EPZs for SONGS 2 & 3
18 can be evacuated or otherwise adequately protected in the
19 event of a radiological emergency with offsite consequences,
20 as required by 10 C.F.R. § 50.47(a)(1), (b)(10) and Part 50,
21 Appendix E. IV.

22 C. Interim FEMA Findings

23 During the hearing the Board was presented with a
24 significant amount of testimony and written evidence
25 concerning the status of offsite emergency preparedness.
26 This evidence included the status of the offsite plans

1 themselves and the capability of the local principal and
2 supporting emergency response organization to implement the
3 plans.

4 With respect to the plans themselves there was no
5 conflict in the evidence. Representatives of the principal
6 and supporting offsite emergency response organizations
7 testified concerning their planning efforts and the plans
8 themselves were introduced into evidence. (Exhibits
9 # 53-57.) The local planning officials concluded that the
10 plans themselves were adequate. This conclusion was
11 confirmed by Mr. Murri, an expert in emergency planning and
12 preparedness, as well as by FEMA's own review which concluded
13 that the plans themselves were minimally adequate. (FF. 9,
14 24, 25, 30, 463, 464.)

15 Intervenor's did not offer any witnesses who
16 challenged the testimony and conclusions of the local
17 planning officials or the conclusions of Mr. Murri and of
18 FEMA. Thus, there is no dispute in the evidence concerning
19 the adequacy of the plans themselves.

20 With respect to the capability to implement the
21 offsite emergency plans, there is what first appears to be a
22 conflict in the evidence.

23 The Interim FEMA Findings concluded that, "until
24 corrective actions have been taken, the offsite capability
25 for implementation is not considered adequate." (FF. 462.)
26 In contrast to the Interim FEMA Findings, Applicants and

1 representatives of the local primary and supporting emergency
2 response organizations challenged the validity of many of the
3 specific findings made by FEMA, questioned the significance
4 of other deficiencies reported in the FEMA/RAC Comments and
5 the FEMA Exercise Evaluation, and took issue with FEMA's
6 conclusion regarding the capability to implement the plans.
7 However, it was clear that at least some of the conflict
8 arose because Applicants' evidence related to the capability
9 of implementation at the time of the hearings and at the time
10 of fuel load or full power operation of SONGS 2, while FEMA's
11 conclusion was based largely on the May 13, 1981 exercise and
12 an assessment period ending one week later. (FF. 461, 464.)

13 Indeed, a prime focus of Applicants' evidence was
14 the corrective actions already taken to remedy many of the
15 deficiencies noted by FEMA and other corrective actions which
16 would be taken prior to fuel load or full power operation of
17 SONGS 2. (FF. 465.)

18 In reaching its conclusion, FEMA itself had noted
19 that implementation capability could be demonstrated "within
20 the very near future" provided certain corrective actions
21 suggested in the Interim FEMA Findings were taken.
22 (FF. 466.) Most importantly, FEMA National concurred that
23 the corrective actions identified by Applicants would be
24 sufficient to remedy the deficiencies noted in the Interim
25 FEMA Findings. (FF. 467-470.)

26 FEMA's view that if the corrective actions

1 identified are completed there would be a reasonable
2 assurance that adequate protective measures can and will be
3 taken in the event radiological emergency at SONGS 2 & 3 is
4 particularly significant in view of the substantial evidence
5 in the record that corrective actions recommended by FEMA are
6 either complete or will be complete prior to the schedule
7 full-power operation of SONGS 2. (FF. 471-480.)4/ FEMA has
8 agreed that it will review the corrective actions which have
9 been identified to determine if, as implemented, they are
10 sufficient to remedy the deficiency noted in the Interim FEMA
11 Findings. (FF. 481.)

12 Under these circumstances Applicants believe that
13 what appears to be a conflict in the evidence concerning the
14 capability to implement the offsite emergency plans is more
15 apparent than real. The conflict derives largely from the
16 timing of the May 13, 1981 exercise and of FEMA's review of
17 the plans as compared with the corrective action identified
18 to remedy the deficiencies noted by FEMA as well as the
19

20 4/ Applicants will be responding by separate letter to the
21 two letters dated October 15, 1981 from Marshall E.
22 Sanders, Acting Chief, Technological Hazards Division,
23 Office of Natural and Technological Hazards, Federal
24 Emergency Management Agency. We note here, however,
25 that by letter dated October 15, 1981 from Applicants to
26 Mr. Sandwina, FEMA, Region IX, Applicants reported the
completion of all corrective actions proposed by
Applicants and agreed upon by FEMA National as necessary
to resolve FEMA's concerns as set forth in the Interim
FEMA Findings. Earlier progress reports for the period
ending September 16, 1981 are contained in Applicants'
Exhibit #149.

1 ongoing efforts to improve the plans and the general
2 capability for their implementation. While the substantial
3 weight of the evidence does demonstrate that the capability
4 to implement the offsite emergency response plans currently
5 exists, the Board does not need to make such a determination
6 at this time and can await the further FEMA findings. If
7 FEMA should concur that the identified deficiencies have been
8 corrected, the conflict concerning whether the offsite
9 emergency response plans are capable of being implemented
10 will have been eliminated.

11 D. Conclusions

12 It is submitted that the evidence in the record
13 refuting the Intervenor's Contentions is complete and
14 conclusive. The corrective actions recognized by FEMA as
15 sufficient to resolve the concerns expressed in the Interim
16 FEMA Findings have been completed. The overwhelming and
17 mostly uncontroverted evidence leads to the conclusion that
18 there is more than a reasonable assurance that adequate
19 protective measures on behalf of the offsite transient and
20 permanent population can and will be taken by Applicants and
21 the involved Federal, State and local offsite emergency
22 response organizations in the event of a radiological
23 emergency at SONGS 2 & 3. Accordingly, no reason appears in
24 this regard why issuance of a full power, full term operating
25 license to SONGS 2 & 3 will be inimical to the common defense
26 and security or to the health and safety of the public, and

1 should not be issued at the earliest possible date.

2 Dated November 13, 1981.

3 Respectfully submitted,

4 DAVID R. FIGOTT
5 EDWARD B. ROGIN
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7 JOHN A. MENDEZ
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10
11 By /s/ Samuel B. Casey
 Samuel B. Casey
12 One of Counsel for Applicants
13 SOUTHERN CALIFORNIA EDISON COMPANY
 and SAN DIEGO GAS & ELECTRIC COMPANY

14

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CERTIFICATE OF SERVICE BY MAIL

I certify pursuant to 10 C.F.R. §2.712(e)(2) that:

I am an attorney employed in the City and County of San Francisco, California, by one of counsel for Applicants Southern California Edison Company and San Diego Gas & Electric Company.

I am over the age of eighteen years and not a party to the within entitled action; my business address is 600 Montgomery Street, 10th Floor, San Francisco, California 94111.

On November 13, 1981, I served the attached "APPLICANTS' BRIEF IN SUPPORT OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW ON EMERGENCY PLANNING & PREPAREDNESS ISSUES", in said cause, by placing a true copy thereof enclosed in the United States mail, first class (or where indicated by asterisks by Express Mail), at San Francisco, California addressed as follows:

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Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
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Washington, D. C. 20555

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